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05/23/01  
JC882 U.S. PTO

## CERTIFICATE OF MAILING

Date: May 23, 2001  
Express Mailing Label No.: EL801565310US

I hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

*Angela Wendel*  
Angela Wendel

PATENT  
Docket No. 16635-104

JC872 U.S. PTO  
09/863485  
05/23/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## UTILITY PATENT APPLICATION TRANSMITTAL

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of inventor(s):  
Craig L. Johnson

For: **RECIRCULATION CONTAINER**

1. Type of Application  
This new application is for a(n)  
☒ Original (non provisional)  
☐ Design  
☐ Plant
2. ☒ Applicant claims small entity status. See 37 CFR 1.27
3. ☒ Specification, including Description, Claims and Abstract (Total Page: 24 )
4. ☒ Drawing(s) (35 USC 113) (Total sheets 3 )
5. Oath or Declaration
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)
    - i. ☐ Deletion of Inventors (Signed statement attached deleting inventors(s) named in the prior application. See 37 CFR 1.63(d)(2) and 133 (b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or DC-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if application, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper

9. ☒ An assignment of the invention to Nexell Therapeutics Inc.  
☐ is attached. A separate ☐ "COVERSHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.  
☐ will follow  
☒ was filed in previous application, at reel/frame number 9206-0523, recorded May 8, 1998
10. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) (Power of Attorney by Assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement  
☐ Copies of citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claims)
16. ☐ Request and Certification under 35 USC 122 (b)(2)(B)(i) (Non-publication Request)
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no. 09/004,344, filed January 8, 1998.

Prior application information:

Examiner: S. Kim Group Art Unit: 1723

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Fee Calculation: TOTAL AMOUNT OF PAYMENT: 395.00
- A. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 16-2230  
☐ Charge any additional fee required under 37 CFR 1.16 and 1.17
- B. ☒ Payment Enclosed  
☒ Check ☐ Credit Card ☐ Money Order ☐ Other

	Number Extra	Rate	Basic Fee 37 CFR § 1.16(a) \$710.00
Total Claims (37 CFR § 1.16(c))	9-20=0	x \$18.00=	0.00
Independent Claims (37 CFR § 1.16(b))	4-3=1	X \$80.00=	80.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d))		+ \$270.00=	0.00
	Total		790.00
	½ for Small Entity		395.00

20. **Correspondence Address**  
☒ Customer Number. 25204

Respectfully submitted,

Dated: May 23, 2001

*Monique M. Heyninck*  
Monique M. Heyninck  
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